

REMARKSRejection under 35 U.S.C. § 112, first paragraph

The Examiner maintains her rejection of claims 11-13, 15-17, and 22-26 as lacking enablement for failing to recite a specific biological activity for the polypeptide encoded by the claimed nucleic acids. Applicants' claims are now directed to nucleic acid molecules that encode polypeptides that have a specific biological function (i.e., polypeptides that decrease inflammation or T cell stimulation). In light of this amendment, the enablement rejection may be withdrawn.

35 U.S.C. § 101


In the Advisory Action mailed on August 9, 2004, the Examiner refused to enter new claims 59-62 for failing to comply with the requirements of 35 U.S.C. § 101. This rejection is overcome by the amendment of the claims, which now recite the term "isolated." Support for this amendment is found at page 48, lines 11-14.

CONCLUSION

Applicants submit that the claims are in condition for allowance, and such action is respectfully requested. If the Office does not concur, a telephonic interview with the undersigned is hereby requested.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

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